

**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION**

Dated: Nainital: the 2nd day of March 2005

**Bail application No.156 of 2005
Order on the Bail Application of accused**

CRIMINAL SIDE

Batul Sarkar
S/o Nityanand Sarkar
R/o Bakuntpur No. 6
Police Station - Sitarganj
District - Udham Singh Nagar

.....Applicant

Versus

State of Uttaranchal

.....Opposite Party.

Arising out of case crime No. 814 of 2004
U/S 18/20 NDPS Act
Police Station - Sitarganj
District - Udham Singh Nagar

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime no. 814 of 2004, U/S 18/20 NDPS Act, Police Station - Sitarganj, District - Udham Singh Nagar.

Heard Sri A.S. Gill, learned counsel for the applicant, learned A.G.A. and perused the record.

As per prosecution case, 500 gram *Charas* is alleged to have been recovered from the possession of the applicant.

The applicant is in jail since 23.12.2004 and learned A.G.A. could not show any criminal history of the applicant.

Considering the aforesaid circumstances, I am of the view that the applicant is entitled to be released on bail at this stage.

Let the applicant Batul Sarkar be released on bail on executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M., Udham Singh Nagar.

Sd/-

March 02, 2005
Shiv